

# HB4736



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4736

by Rep. Renée Kosel

### SYNOPSIS AS INTRODUCED:

605 ILCS 125/15

Amends the Roadside Memorial Act. Provides that an application for a DUI memorial marker may be submitted by a qualified relative with regard to any crash that occurred on or after January 1, 1990. Effective immediately.

LRB095 15223 DRH 41204 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Roadside Memorial Act is amended by changing  
5 Section 15 as follows:

6 (605 ILCS 125/15)

7 Sec. 15. Participation in the Roadside Memorial program.

8 (a) A qualified relative of a victim may make a request for  
9 the installation of a memorial marker in a supporting  
10 jurisdiction using an application developed by the supporting  
11 jurisdiction. The supporting jurisdiction shall have sole  
12 responsibility for determining whether a request for a DUI  
13 memorial marker is rejected or accepted.

14 (b) An application for a DUI memorial marker may be  
15 submitted by a qualified relative with regard to any crash that  
16 occurred on or after January 1, 1990 ~~2003~~.

17 (c) If there is any opposition to the placement of a DUI  
18 memorial marker by any qualified relative of any decedent  
19 involved in the crash, the supporting jurisdiction shall deny  
20 the request.

21 (d) The supporting jurisdiction shall deny the request or,  
22 if a DUI memorial marker has already been installed, may remove  
23 the marker, if the qualified relative has provided false or

1 misleading information in the application.

2 (e) The qualified relative shall agree not to place or  
3 encourage the placement of flowers, pictures, or other items at  
4 the crash site.

5 (f) A DUI memorial marker shall not be erected for a  
6 deceased driver involved in a fatal crash who is shown by  
7 toxicology reports to have been in violation of State DUI law,  
8 unless the next of kin of any other victim or victims killed in  
9 the crash consent in writing to the erection of the memorial  
10 marker.

11 (Source: P.A. 95-398, eff. 1-1-08.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.